Fifteen Reasons Ryan Walters Is Wrong (If James Madison Was Right)

This tract contains an address given to the Virgnia Assembly in 1785 by James Madison, Father of the Constitution, American statesman and diplomat, and fourth President of the U.S.

Madison was invited to speak at the Assembly in opposition to certain members' proposals for discussion of a bill to use public money to fund religious instruction...just as Ryan Walters, State Superintendent of Public Education in Oklahoma intends.

Since Ryan Walters has suggested that he is merely trying to bring back something that was here but taken away by corrupt judges in the 1960's landmark case concerning the separation of church and state, and since he claims he is solidly standing on a point the founding fathers would have supported, we will here examine what those men did believe on the subject and how vastly different historical reality is from RW's presentations of their conceptions.

The speech has no legal bearing on the current legal fight but is extremely elucidating on the real positions of our Framers. We must defend what they left us and resist the historical revisionism of RW because it is, as you will see herein, incredibly dangerous to liberty.

The address is entitled "Memorial and Remonstrance Against Religious Assessments" and it is vital civic reading. Please find it online and read it. Thank you

Because we hold it for a fundamental and undeniable truth, “that Religion or the duty which we owe to our Creator and the manner of discharging it, can be directed only by reason and conviction, not by force or violence.” The Religion then of every man must be left to the conviction and conscience of every man; and it is the right of every man to exercise it as these may dictate. This right is in its nature an unalienable right. It is unalienable, because the opinions of men, depending only on the evidence contemplated by their own minds cannot follow the dictates of other men: It is unalienable also, because what is here a right towards men, is a duty towards the Creator. It is the duty of every man to render to the Creator such homage and such only as he believes to be acceptable to him.

JM’s speech is about public funding of religious instructors and in this first Reason, without drama mentions force and violence being tied to the matter. Taxation and law are ultimately upheld by the implied use of force.

Here Madison has also begun his address with the maxim that religion and duty to the Creator are matters strictly of personal conscience, not lawmaking, and this right is unalienable.

RW claims he desires to protect religious freedom yet has made it equally clear he has no regard for the conscience of teachers who do not wish to expound on Scripture passages in class or families of no faith or other faiths who do not wish to hear the Bible at school.

He honors only his own conception of religious freedom; his own religion.

2 Because if Religion be exempt from the authority of the Society at large, still less can it be subject to that of the Legislative Body. The latter are but the creatures and vicegerents of the former. Their jurisdiction is both derivative and limited: it is limited with regard to the co-ordinate departments, more necessarily is it limited with regard to the constituents. The preservation of a free Government requires not merely, that the metes and bounds which separate each department of power be invariably maintained; but more especially that neither of them be suffered to overleap the great Barrier which defends the rights of the people.

JM's deeply held convictions and his appreciation for the Virginia Statue of Religious Freedom is evident here.

He describes the efforts of the theocrats proposing funding religious instruction no less than an assault upon "The Great Barrier which defends the rights of the people."

This tract concerns the present political policies of RW but it's worth highlighting JM's remarks on another matter, almost in passing, that to preserve a free government the boundaries between departments must be maintained.

3 Because it is proper to take alarm at the first experiment on our liberties. We hold this prudent jealousy to be the first duty of Citizens, and one of the noblest characteristics of the late Revolution. The free men of America did not wait till usurped power had strengthened itself by exercise, and entangled the question in precedents. They saw all the consequences in the principle, and they avoided the consequences by denying the principle. We revere this lesson too much soon to forget it. Who does not see that the same authority which can establish Christianity, in exclusion of all other Religions, may establish with the same ease any particular sect of Christians, in exclusion of all other Sects? that the same authority which can force a citizen to contribute three pence only of his property for the support of any one establishment, may force him to conform to any other establishment in all cases whatsoever?

This Reason is a rich vein of American "civic gold".

Those trying to legislate public funding for religious were cause for alarm to JM.

We hear alarm expressed today but RW is dismissive of it as "leftist fear mongering" ... JM viewed it as a bold experiment against liberty.

Like a potentially invasive creeper vine, the principle of theocrats needed uprooting to avoid even greater harm later.

RW desires to fund Catholic education with the taxes of Oklahoma citizens. Certainly, Catholicism is a sect. If Christianity in general is given preferential treatment by authorities, why ten could not the same authority choose a particular sect of Christians to reign over the rest?

And if a citizen can be forced to fund any such establishment, that authority may compel him to give coin to any other establishment it desires.

Because the Bill violates that equality which ought to be the basis of every law, and which is more indispensable, in proportion as the validity or expediency of any law is more liable to be impeached. If "all men are by nature equally free and independent," all men are to be considered as entering into Society on equal conditions; as relinquishing no more, and therefore retaining no less, one than another, of their natural rights. Above all are they to be considered as retaining an "*equal* title to the free exercise of Religion according to the dictates of Conscience." Whilst we assert for ourselves a freedom to embrace, to profess and to observe the Religion which we believe to be of divine origin, we cannot deny an equal freedom to those whose minds have not yet yielded to the evidence which has convinced us. If this freedom be abused, it is an offence against God, not against man: To God, therefore, not to man, must an account of it be rendered. As the Bill violates equality by subjecting some to peculiar burdens, so it violates the same principle, by granting to others peculiar exemptions.

Fashionable as it is in some quarters today to mock and dismiss The Unbelievers and disregard their opinions or personal religious conscience, the Father of our Constitution disdained such odious sentiments.

True religious freedom is a choice not of government or RW's making but of the citizen, and it thrives in Oklahoma without RW's help.

Oklahoma Christians have long held freedom to choose their path.

Yet JM is clear that whatever conception of truth or religious freedom Christians may hold, we cannot deny equal rights to those who do not, and he appears to grant no exception owing to Christianity's special cultural and historical relevance to the U.S.A.

What are the "peculiar burdens" he mentions? To force people who don't want to fund expositions of a faith they do not hold, while Christian students and parents are granted the "peculiar exemptions" of having their faith front and center.

Because the Bill implies either that the Civil Magistrate is a competent Judge of Religious Truth; or that he may employ Religion as an engine of Civil policy. The first is an arrogant pretension falsified by the contradictory opinions of Rulers in all ages, and throughout the world: the second an unhallowed perversion of the means of salvation.

Judges train in law. Some are ministers but that duty is separate from those of judicial matters. Whatever their personal belief, JM called it "arrogant pretention" to believe that any earthly magistrate might judge what is religious truth.

Equally wrong, he went on, is the idea of making religion civil policy. RW is eager to attempt precisely that.

JM also said that history offers no good hope that such policy would have any truly good outcome, only bad, and even less hope that should Christianity become codified in law in the belief it will do God's work by making America more Christian.

He described any such effort a perversion of the means of salvation.

[7] Because experience witnesses that ecclesiastical establishments, instead of maintaining the purity and efficacy of Religion, have had a contrary operation. During almost fifteen centuries has the legal establishment of Christianity been on trial. What have been its fruits? More or less in all places, pride and indolence in the Clergy, ignorance and servility in the laity, in both, superstition, bigotry and persecution. Enquire of the Teachers of Christianity for the ages in which it appeared in its greatest luster; those of every sect, point to the ages prior to its incorporation with Civil policy. Propose a restoration of this primitive State in which its Teachers depended on the voluntary rewards of their flocks, many of them predict its downfall. On which Side ought their testimony to have greatest weight, when for or when against their interest?

JM was alive in a time when memories of the experiments of mixing church and state or Pope and Crown in ancestral Europe were fresh, hence the name of his address, *Memorial* and Remonstrance.

Fifteen centuries of trying to make it work had, in his estimation, never succeeded.

The fruit of it was invariably a corrupt clergy, rendered indolent by public money and undue political influence.

The kind of citizens such experiments resulted in?

Superstitious bigots willing to persecute the Unbelievers.

The Way shone brightest when it caught fire among the rich and poor of many lands before Constantine decided that government should be the engine of religion as civil policy

8. Because the establishment in question is not necessary for the support of Civil Government. If it be urged as necessary for the support of Civil Government only as it is a means of supporting Religion, and it be not necessary for the latter purpose, it cannot be necessary for the former. If Religion be not within the cognizance of Civil Government how can its legal establishment be necessary to Civil Government? What influence in fact have ecclesiastical establishments had on Civil Society? In some instances they have been seen to erect a spiritual tyranny on the ruins of the Civil authority; in many instances they have been seen upholding the thrones of political tyranny: in no instance have they been seen the guardians of the liberties of the people. Rulers who wished to subvert the public liberty, may have found an established Clergy convenient auxiliaries. A just Government instituted to secure & perpetuate it needs them not. Such a Government will be best supported by protecting every Citizen in the enjoyment of his Religion with the same equal hand which protects his person and his property; by neither invading the equal rights of any Sect, nor suffering any Sect to invade those of another.

JM asks: if religious truth is beyond the cognizance of civil government, how could making it public policy benefit said governance?

Where Christianity has been established in law, what is the result? A tower of spiritual tyrants on the ruins of once good systems.

Never, he says, has such a tower watched over the liberties of the People.

In fact, unscrupulous rulers find religious establishments a convenient smokescreen for stealing freedoms, the real impetus behind theocracy not only in the U.S.A. but everywhere, no matter the religion in question. Foundations claiming to honor "heritage" do so indeed...but not our own American heritage.

No just government needs such a disguise.

The religious conscience of every citizen ought to have the same protection as people's lives and properties under law.

9. Because the proposed establishment is a dep arture from that generous policy, which, offering an Asylum to the persecuted and oppressed of every Nation and Religion, promised a lustre to our country, and an accession to the number of its citizens. What a melancholy mark is the Bill of sudden degeneracy? Instead of holding forth an Asylum to the persecuted, it is itself a signal of persecution. It degrades from the equal rank of Citizens all those whose opinions in Religion do not bend to those of the Legislative authority. Distant as it may be in its present form from the Inquisition, it differs from it only in degree. The one is the first step, the other the last in the career of intolerance. The magnanimous sufferer under this cruel scourge in foreign Regions, must view the Bill as a Beacon on our Coast, warning him to seek some other haven, where liberty and philanthrophy in their due extent, may offer a more certain repose from his Troubles.

RW and many others show open scorn and contempt for citizens who object to these policies on the grounds they practice another faith. To RW, religious freedom can only mean to follow Christianity.

Yet the Father of the Constitution, who would later soundly affirm the First Amendment in Philadelphia, considered the opposite attitude to be part of America's shining light. The earliest Christians in our nation came here to find Asylum from Pope, Bishop and Crown.

The seeds of religious persecution lie hidden within the principle of religion as public policy!

JM did not consider it dramatic to describe such establishments as differing from the Inquisition only by time and degree.

And while many today scoff at any consideration as to how we appear to the would- be immigrant suffering such persecution, JM would not have joined in such

10. Because it will have a like tendency to banish our Citizens. The allurements presented by other situations are every day thinning their number. To superadd a fresh motive to emigration by revoking the liberty which they now enjoy, would be the same species of folly which has dishonored and depopulated flourishing kingdoms.

We admit here that this Reason is of little relevance to this discussion today, at least at present.

The U.S.A was a fledgling country with newly minted conceptions of governance and desirous of building its population.

This doesn't change our clear understanding of the rest of JM's address or the idea of the "Great Barrier" of religious freedom and conscience he championed.

The word "folly" as used by him is, remember, directed any intent to publicly fund religious instruction.

When RW contends that his own attempt at this is simply U.S. civic heritage and aligns with the beliefs of the Founders and Framers, he is misguided or, worse, knows it is untrue to say such things but does not care, perhaps due to political ambition and his keen notice that the Court no longer makes Constitutionality a factor in its rulings.

11. Because it will destroy that moderation and harmony which the forbearance of our laws to intermeddle with Religion has produced among its several sects. Torrents of blood have been spilt in the old world, by vain attempts of the secular arm, to extinguish Religious discord, by proscribing all difference in Religious opinion. Time has at length revealed the true remedy. Every relaxation of narrow and rigorous policy, wherever it has been tried, has been found to assuage the disease. The American Theatre has exhibited proofs that equal and complete liberty, if it does not wholly eradicate it, sufficiently destroys its malignant influence on the health and prosperity of the State. If with the salutary effects of this system under our own eyes, we begin to contract the bounds of Religious freedom, we know no name that will too severely reproach our folly. At least let warning be taken at the first fruits of the threatened innovation. The very appearance of the Bill has transformed "that Christian forbearance, love and charity," which of late mutually prevailed, into animosities and jealousies, which may not soon be appeased. What mischiefs may not be dreaded, should this enemy to the public quiet be armed with the force of a law?

We come again to Memorial.

Was JM employing fear mongering like "the woke left" and "radical atheists", waxing dramatic over phantoms of lost liberty?

No. He believed, correctly, that to mix church and state leads to blood eventually and with no good outcome. He said "our laws" forbid the government meddling in religion, a sentiment later enshrined most perfectly in the First Amendment. To maintain this principle will never fully eliminate the malignant creep of theocracy but it deals to it a destructive blow.

JM here blamed such malignant influences for bringing out the worst in Christians in their view of dissenters.

Christian love and the peaceful quiet it can bring to any people becomes animosity instead, suddenly armed by law to do terrible things.

Many wicked persons today are giddy for just that- they have abandoned our heritage

2. Because the policy of the Bill is averse to the diffusion of the light of Christianity. The first wish of those who enjoy this precious gift ought to be that it may be imparted to the whole race of mankind. Compare the number of those who have as yet received it with the number still remaining under the dominion of false Religions; and how small is the former! Does the policy of the Bill tend to lessen the disproportion? No; it at once discourages those who are strangers to the light of revelation from coming into the Region of it; and countenances by example the nations who continue in darkness, in shutting out those who might convey it to them. Instead of Levelling as far as possible, every obstacle to the victorious progress of Truth, the Bill with an ignoble and unchristian timidity would circumscribe it with a wall of defense against the encroachments of error.

In spite of all talk today about the U.S.A. being a Christian nation, there is really no such creature in the New Testament.

A nation may be Christian in the sense of representation of its population being believers in the Bible, but the idea of any Christian "nationalism" did not come from Jesus or the Bible.

From the Bible we learn that the Church universal and worldwide *is* a nation, a new one, and the only requirement for citizenship in it is faith in the Lord. To ascribe it national boundaries is the invention of man. With apology to some sects, there is no "City of God" found in the marriage of religion and law.

Jesus never compelled people to hear his words, but said, "Whosoever will, let him follow me.

Madison here says that to force people to hear the Word is to deny the Bible doctrine of personal revelation leading to voluntary inquiry into Truth.

13. Because attempts to enforce by legal sanctions, acts obnoxious to so great a proportion of Citizens, tend to enervate the laws in general, and to slacken the bands of Society. If it be difficult to execute any law which is not generally deemed necessary or salutary, what must be the case, where it is deemed invalid and dangerous? And what may be the effect of so striking an example of impotency in the Government, on its general authority?

Whether the obnoxious acts to with this Framer refers was the attempt to establish religion or to the sort of social malaises its passage would bring, he calls the effort invalid and dangerous.

He believed the general effect would be to destroy social bonds (here called the archaic usage of "bands") and to cause government to be weakened, lose face, and compromise its authority in protecting religious freedom.

The indifference Ryan Walters has shown to our heritage, his errors and untruths, and his dismissive attitude towards people who don't think and believe as he has already had this effect, and he has not yet even fully had his way.

When citizens of different faith, no faith, or a Christian faith generous to others in light of the Gospel and cherishing the First Amendment for all citizens (and there are many such Christians, bless them) behold these attitudes in those who have taken an oath to uphold it now deride it, how could they feel differently?

14. Because a measure of such singular magnitude and delicacy ought not to be imposed, without the clearest evidence that it is called for by a majority of citizens, and no satisfactory method is yet proposed by which the voice of the majority in this case may be determined, or its influence secured. “The people of the respective counties are indeed requested to signify their opinion respecting the adoption of the Bill to the next Session of Assembly.” But the representation must be made equal, before the voice either of the Representatives or of the Counties will be that of the people. Our hope is that neither of the former will, after due consideration, espouse the dangerous principle of the Bill. Should the event disappoint us, it will still leave us in full confidence, that a fair appeal to the latter will reverse the sentence against our liberties.

We have not much to say here and no need to say it.

Equal representation was at that moment in Virginia history in question.

So today.

Note, though, that Madison referred to such an establishment as “dangerous principle” and a “sentence against our liberties”

We remind you again that the address is about funding religious instruction, as the Superintendent of education desires.

It would not matter if every American supported Ryan Walters and that idea; it is illegal and requires a Constitutional amendment if the People become fool headed enough to want it.

If any such policy took effect, Madison expressed his hope it would die upon appeal.

15. Because finally, “the equal right of every citizen to the free exercise of his Religion according to the dictates of conscience” is held by the same tenure with all our other rights. If we recur to its origin, it is equally the gift of nature; if we weigh its importance, it cannot be less dear to us; if we consult the “Declaration of those rights which pertain to the good people of Virginia, as the basis and foundation of Government,” it is enumerated with equal solemnity, or rather studied emphasis. Either then, we must say, that the Will of the Legislature is the only measure of their authority; and that in the plenitude of this authority, they may sweep away all our fundamental rights; or, that they are bound to leave this particular right untouched and sacred: Either we must say, that they may control the freedom of the press, may abolish the Trial by Jury, may swallow up the Executive and Judiciary Powers of the State; nay that they may despoil us of our very right of suffrage, and erect themselves into an independent and hereditary Assembly or, we must say, that they have no authority to enact into law the Bill under consideration.

The address concludes on the very note it began with and maintains throughout.

Every citizen is gifted by God and nature with personal conscience and free will, and granted religious freedom here in the U.S.A.

In all of his many public statements on the matter, Ryan falls upon trigger words, coded language and inflammatory declarations that religious freedom and students and teachers are under attack by some insane “woke mob.” Some Muslim students, or Sikh students, or Wiccan students or dissenting Christian teachers and students are seeing their religious freedom attacked...but not by a woke mob.

In Walters’ inflammatory declarations, there is one thing ever lacking: citation of any case under law or otherwise of an instance of such attack. Not a single iota.

Sensational news reports of outlandish figures on the left or people suing him to defend the First Amendment are Ryan’s resort to claiming some attack while any actual Oklahoma case is never disclosed.

Ryan Walters has already offered rebuttals to many of these sentiments. We close with these and have remarks on them. We will not directly quote every one of them, but they are accurately stated.

Its about history, not religion.

Its not about forcing Christianity on anyone.

The words "separation of church and state" don't appear in the Constitution.

My critics are all radical atheists and woke crazies.

The Bible is the source of the Declaration of Independence, Constitution, and is the greatest influence in American history.

In the 1960s when the major Supreme Court ruling on separation of church and state was made, it curtailed only behaviors and actions of staff and faculty, and that because their salary is from taxes. They had been used to giving out prayers and exposition on the Bible and displaying symbols of Christianity, becoming, in effect, religious instructors.

The Supreme Court ruled, rightfully, that this was in violation of the Establishment clause.

They did not rule that teachers and other faculty could not pray; anyone who prays knows you can do it in secret, and that is a Bible teaching too.

In any event, the Court has from then until now maintained that the religious freedom and expression of students is inviolate, because they are not paid to be there with taxes.

They have ALWAYS been free to pray out loud, gather in groups to read the Bible, and form religious organizations on campus and use the facilities there for that. Those of non-Christian belief or no belief must have the same rights. To compel them to hear Christian exposition is forcing Christianity on people. Our opinions on this are of no consequence; the Constitution is the law.

Ryan has claimed that the Bible is the foundation of the Constitution and all American freedom. Anyone who has read the Federalist papers, the personal correspondences of the Framers, their speeches and biographies and autobiographies knows that to be false. Reading the Constitution only affirms those sources.

The Constitution makes no mention of God except in a calendric expression and it only mentions religion twice. One mention is the First Amendment, which plainly states the government is to make no law either for against religion, except in matters of protecting the right itself. The other mention is to say that there are not to be any religious tests or qualifications for holding office.

It doesn't sound like the Framers believed what Ryan Walters has proclaimed they did, does it? Interestingly, Walters never mentions the skeptic Thomas Paine and his role in the conception of a U.S.A. He also never discusses the fact that the author of the Bill of Rights, Thomas Jefferson, was not Christian in sense commonly understood by the term. In his autobiography, he frankly discloses his rejection of any supernatural stories in the Bible or that it is all Divinely Inspired, as Benjamin Franklin also expressed. Jefferson was a Deist and free thinker. When he ran for President, no one opposed him more than conservative ministers and congregations, who held him to be an atheist. He did use the word Christian about himself from time to time, but made it clear that he meant only that he thought the sayings of Jesus were the most sublime words given to mankind.

The other Framers aside from these exceptions were nearly to a man all Christians and churchmen, which is what we find so noble about them; whatever their personal convictions, they created a system that leaves it to a man or woman to practice otherwise in peace. They were quite aware of the Bible's influence in our founding, and spoke of it often.

However, they all affirmed and ratified Jefferson's Bill of Rights, and the Bible's influence in history did not sway them from this. And that influence has not always been good. When

misapplied or misunderstood, the influence has been harmful in ways space does not permit telling here. Memorial and Remonstrance tells it well enough.

What about the claim that the current rush to turn public schools into Sunday School rooms is about history and not religion? We are forced to reject it.

As mentioned, the Bible as history is not a neglected Book and never has been. Who does not remember attending school and learning the religious beliefs of the Pilgrims and early settlers? Prayers and reprints of sermons and the idea of Manifest Destiny have long been in textbooks, and a Bible in a civics class for this purpose would not be un-Constitutional. Bible quotations from Dr. King have long been included. If it was "only about history", what a tempest over bringing back a thing that never went away as though it were novel, restorative cure of the ills caused by the evil 60s judges!

No, its not about history. Ryan Walters is, in truth, actually advancing the Bible in school as religion. Because the Bible is a religion as well as a historical influence. In fact, it is two religions, Judaism and Christianity. If this be not so, why is read out loud and taught in houses of worship as a guide for people to follow God?

Walters has yet to acknowledge that many people of Christian faith oppose this. He is fond of stating that his only critics are the radical left. But what of the radical left? What of the atheist and infidels?

They pay taxes into the schools. So do Jews, Muslims, Wiccans, Sikhs, Buddhists, and "woke" citizens. Their tax money is as green and good as that of any devout Christian and their rights to freedom or religion or...dare we say it...freedom FROM religion, are secured by the Bill of Rights.

The man who wrote the First Amendment was clear on what he and his contemporaries understood it to mean in his letter to the Danbury Baptists, where he referred to it as a "wall of separation between Church and state"...the legal doctrine of the idea mentioned in Memorial and Remonstrance where Madison described The Great Barrier.

Ryan Walters and many conservative show hosts and commentators are quick on the draw here, contending that the letter is not law.

True.

They also like to say the words do not appear in the Constitution.

Also true.

However, in the words of William Blake:

"A Truth that's told with bad intent

Beats all the lies you can invent."

The Danbury letter may not be law, but would not the man who wrote it and authored the Bill of Rights know better than Ryan his own meaning when he did? His fellow delegates also knew it meant that, as they would remark many times in ensuing years in their letters and speeches. The exact words do not need to appear to see that the doctrine is yet the same.

Still, and we close here, the term "separation of church and state" *is* law. For it was the language of the Supreme Court ruling, and the Constitution delegates authority to the Supreme Court to rule upon the Constitutionality of laws. This is not the same as making law, but it is absurd to say that their rulings are without authority.

We should not be surprised that the ruling broke with tradition and even some obscure legal rulings that preceded it, or by the fact that Framers sometimes contradicted themselves from time to time or were not consistent in its execution at all times. They deserve Memorial because of their best traits and ideas, but all who seek or hold office are by some measure political. To this must be added that they were men with distant vision as well as present sound mind, and knew the People and our history well enough to know that

it would take some time for the system they brought forth to be implemented in accordance with that vision.

In the end, Ryan Walters is not fighting any good fight of faith here, and as you can see if you read Madison's remarks, he is not standing on the shoulders of giants and taking up the mantle from them in this matter. He and anyone supporting a new, theocratic America in the tradition of Pope and Crown at the expense of the WHOLE People's liberty serve powerful lobbies and interests who are indifferent to our rights.

Though far from perfect, the Framers and early US citizens brought forth what we believe to be one of the most enlightened and freedom producing systems to appear in history.

As Madison of old, let us pray to our Creator that current perilous trends are reversed so that it continues to be our great inheritance. The poorest American has the protection of law when the Bill of Rights is faithfully upheld.